IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

TUESDAY, THE 20TH NOVEMBER 2007 / 29TH KARTHIKA 1929

Crl.Rev.Pet.No. 658 of 2000()

CRA.196/2000 of SESSIONS COURT, THRISSUR
CC.289/1996 of JUDL. MAGISTRATE OF FIRST CLASS COURT, CHAVAKKAD

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REVN. PETITIONER:

JANARDHAN, MONIVIGRAHAM VEETTIL,
BLANGAD DESOM, ORUMANAYOOR VILLAGE,
CHAVAKKAD TALUK.

BY ADV. SRI.RAJIT

RESPONDENTS:

STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR, SRI AMJAD ALI

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 20/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER ON CRL.M.P.NOS.3614/2000, 4146/2000 & 1457/2001 IN
CRL.R.P.NO.658/2000

DISMISSED.

SD/- K.R.UDAYABHANU, JUDGE

20/11/2007

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K.R.UDAYABHANU, J.

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Crl. R.P.No.658 of 2000

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Dated this the 20th day of November, 2007

O R D E R

The revision petitioner stands convicted for the offences under Sections 447 and 427 I.P.C and sentenced to pay a fine of Rs.500/- and in default to undergo simple imprisonment for a period of 15 days for the offence under Section 447 I.P.C. He is also sentenced to undergo simple imprisonment for a period of 15 days and to pay a fine of Rs.5,000/- with respect to the offence under Section 427 I.P.C and in default to undergo simple imprisonment for two months.

2. The prosecution case is that on 06/01/1996 at about 12.40 in the mid night the accused trespassed into the courtyard of PW.1 and destroyed the doors and windows of his house and, PW.1 and others escaped through the back door. The alleged loss sustained is to the tune of Rs.5000/-.

3. The counsel for the revision petitioner has only sought for modification of sentence. It is submitted that the incident was on account of a political dispute and 11 years have elapsed since the date of the incident and so far the accused was facing the criminal proceedings. In the circumstances, the sentence imposed for the

offence under Section 427 I.P.C is modified to pay a fine of rupees five thousand and in default to undergo simple imprisonment for two months. The sentence imposed for the offence under Section 447 I.P.C is sustained. The fine amount, if realised, shall be paid to PW.1. The criminal revision petition is disposed of as above.

K.R.UDAYABHANU,
Judge

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